

REMARKS

This application has been reviewed in light of the Office Action dated January 28, 2008. Claims 1-7 and 9 are presented for examination, of which Claims 1, 4, and 7 are in independent form. Claims 1, 4, and 7 have been amended to define more clearly what Applicants regard as their invention. Favorable reconsideration is respectfully requested.

Claim 7 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants have carefully reviewed and amended Claim 7, as deemed necessary, to ensure that it conforms fully to the requirements of Section 112, second paragraph, with special attention to the points raised in sections 3 and 4 of the Office Action. Also, Applicants have amended the claims taking into consideration the Examiner's notes on pages 9-13 and 18-22 of the Office Action. It is believed that the rejection under Section 112, second paragraph, has been obviated, and its withdrawal is therefore respectfully requested.

The Office Action states that Claims 1 and 4 were rejected under § 103(a) as being unpatentable over U.S. Patent Appln. Pub. No. 2003/0120526 (*Altman*), in view of U.S. Patent No. 6,023,679 (*Acebo*), in further view of Int'l. Patent Appln. Pub. No. WO 02/29672 (*Rosenbluth*), and in further view of U.S. Patent No. 5,948,040 (*DeLorme*); that Claims 2-3 and 5-6 were rejected under § 103(a) as being unpatentable over *Altman*, *Acebo*, *Rosenbluth*, and *DeLorme*, in further view of U.S. Patent Appln. Pub. No. 2001/0049693 (*Pratt*); and that Claims 7 and 9 were rejected under § 103(a) as being unpatentable over *Altman*, *Acebo*, *Rosenbluth*, and *DeLorme*, in further view of *Pratt*.

Applicants submit that independent Claims 1, 4, and 7, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

Among other notable features of amended Claim 1 is “a point of service terminal connected to the communication network and configured to access . . . one of the plurality of data distribution systems selected based on the load levels of the plurality of data distribution systems.” By virtue of this feature, as mentioned in the specification, minimum contractual transaction amounts with the data distribution systems can be met transparent to the user. Moreover, this feature improves the efficiency of the system by avoiding the overloading of one data distribution system and the underloading of others.

As noted in the Amendment of October 31, 2007, *Altman* relates to a travel reservation system that is applicable for a corporate workflow environment. Apparently, end-users can use a multiple source booking interface to search for a travel service using multiple data sources at the same time.

Applicants have found nothing in *Altman* that would teach, suggest, or otherwise result in a system configured to facilitate the transmission of messages from a seller to a supplier including “a point of service terminal connected to the communication network and configured to access . . . one of the plurality of data distribution systems selected based on the load levels of the plurality of data distribution systems,” as recited in Claim 1. Accordingly, Applicants submit that Claim 1 is patentable over *Altman*.

A review of the other art of record has failed to reveal anything that, in Applicants’ view, would remedy the deficiencies of *Altman* as applied against the independent claims herein. Accordingly, Applicants submit that a combination of *Altman*, *Acebo*, *Rosenbluth*, *DeLorme*, and *Pratt*, assuming such a combination would even be

permissible, would fail to teach or suggest “a point of service terminal connected to the communication network and configured to access . . . one of the plurality of data distribution systems selected based on the load levels of the plurality of data distribution systems,” as recited in Claim 1.

Accordingly, Applicants submit that Claim 1 is patentable over the cited art, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a). Independent Claims 4 and 7 include a feature similar to that discussed above with respect to Claim 1. Therefore, those claims also are believed to be patentable for at least the same reasons as discussed above.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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